

CHAPTER NO. 469

HOUSE BILL NO. 561

By Representative Boyer

Substituted for: Senate Bill No. 917

By Senators Burchett, Williams, Burks

AN ACT to amend Tennessee Code Annotated, Title 40, Chapter 39, Part 1, relative to the registration of sex offenders.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. This act shall be known as the "Tennessee College & University Campus Sex Crimes Prevention Act of 2002".

SECTION 2. Tennessee Code Annotated, Section 40-39-102, is amended by adding the following as new subdivisions (6) and (7):

(6) "Employed or carries on a vocation" means any sort of full-time or part-time employment in the state, with or without compensation, for more than fourteen (14) days, or for an aggregate period exceeding thirty (30) days in a calendar year.

(7) "Law enforcement agency of any institution of higher education" means any campus law enforcement arrangement authorized by Section 49-7-118.

SECTION 3. Tennessee Code Annotated, Section 40-39-103(a), is amended by adding the following as a new subdivision (9) and by appropriately redesignating the existing subdivision (9) and remaining subdivision accordingly:

(9) The name and address of each institution of higher education in the state at which the offender is employed, carries on a vocation or is a student;

SECTION 4. Tennessee Code Annotated, Section 40-39-106(a), is amended by adding the following as new subdivisions (5) and (6) and by appropriately redesignating the existing subdivisions (5) and (6) accordingly:

(5) The law enforcement agency of any institution of higher education in the state at which the offender is employed, carries on a vocation or is a student, or if the institution of higher education has no law enforcement agency, the local law enforcement agency having jurisdiction for the campus.

(6) The law enforcement agency of any institution of higher education in the state at which the offender was employed, carried on a vocation or was a student if a change in enrollment or employment is indicated, or if the institution of higher education has no law enforcement agency, the local law enforcement agency having jurisdiction for the campus.

SECTION 5. Tennessee Code Annotated, Section 40-39-106(f), is amended by adding the following language after the first sentence of the subsection:

For all sexual offenses committed on or after October 27, 2002, the information concerning a registered sexual offender set out in subdivision (f)(10) shall be considered public information.

SECTION 6. Tennessee Code Annotated, Section 40-39-106(f), is further amended by deleting the word "and" at the end of subdivision (8); by deleting the period at the end of subdivision (9) and substituting instead a semicolon (;) and the word "and"; and by adding the following language as a new subdivision to be designated as follows:

(10) The name, and address of any institution of higher education in the state at which the offender is employed, carries on a vocation or is a student.

SECTION 7. Tennessee Code Annotated, Section 40-39-105(a), is amended in the second sentence by deleting the language and punctuation "the TBI;" and by substituting instead the following:

law enforcement agencies of institutions of higher education; the TBI;

SECTION 8. Tennessee Code Annotated, Section 40-39-106(c), is amended by deleting the language "or a local law enforcement agency shall release" and by substituting instead the following:

, a local law enforcement agency or a law enforcement agency of any institution of higher education shall release

SECTION 9. Tennessee Code Annotated, Section 40-39-106(d), is amended by deleting the language "or a local law enforcement agency deems it necessary" and by substituting instead the following:

, a local law enforcement agency or a law enforcement agency of any institution of higher education deems it necessary

SECTION 10. Tennessee Code Annotated, Section 40-39-106(e), is amended by deleting the language and punctuation "officers and employees of local law enforcement agencies," and by substituting instead the following:

officers and employees of local law enforcement agencies, officers and employees of law enforcement agencies of institutions of higher education,

SECTION 11. Tennessee Code Annotated, Section 40-39-103(a), is amended by adding the following language after the first sentence of the subsection:

Within ten (10) days following employment or after becoming a student or volunteer at an institution of higher learning in the county or municipality where the sexual offender resides, the sexual offender shall complete or update a TBI sexual offender registration/monitoring form and shall cause such form to be delivered to TBI headquarters in Nashville in order to notify the law enforcement agency of such institution of higher education.

SECTION 12. This act shall take effect October 27, 2002, the public welfare requiring it.

PASSED: February 12, 2002


JIMMY RAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES


JOHN S. WILDER
SPEAKER OF THE SENATE

APPROVED this 14th day of February 2002


DON SUNDQUIST, GOVERNOR